

Karl Kronenberger (CA Bar No. 226112)  
karl@krinternetlaw.com  
Jeffrey M. Rosenfeld (CA Bar No. 222187)  
jeff@krinternetlaw.com  
Kronenberger Rosenfeld, LLP  
150 Post Street, Suite 520  
San Francisco, CA 94108  
415-955-1155 Telephone

Rudolph A. Telscher, Jr. (*pro hac vice*)  
rudy.telscher@huschblackwell.com  
Kara R. Fussner (*pro hac vice*)  
kara.fussner @huschblackwell.com  
HUSCH BLACKWELL LLP  
190 Carondelet Plaza, Suite 600  
St. Louis, MO 63105  
314-480-1500 Telephone

Ryan B. Hauer (*pro hac vice*)  
Ryan.hauer@huschblackwell.com  
HUSCH BLACKWELL LLP  
120 South Riverside Plaza Suite 2200  
Chicago, IL 60606  
312-526-1572 Telephone

*Attorneys for Defendants/Counterclaim  
Plaintiffs BrandTotal, Ltd. and Unimania,  
Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

FACEBOOK, INC., a Delaware corporation,  
Plaintiff/Counterclaim  
Defendant,  
v.  
BRANDTOTAL LTD., an Israel corporation, and  
UNIMANIA, INC., a Delaware corporation,  
Defendants/  
Counterclaim  
Plaintiffs.

Case No. 3:20-CV-07182-JCS

**DECLARATION OF RUDOLPH A.  
TELSCHER, JR. IN SUPPORT OF  
STIPULATION TO ENLARGE TIME  
TO RESPOND TO FACEBOOK,  
INC.'S MOTION TO DISMISS PER  
L.R. 6-2**

1 I, Rudolph A. Telscher, Jr., hereby state and declare as follows:

2 1. I am a member of the bar of the State of Missouri. I am a lawyer at the law firm of  
3 Husch Blackwell LLP, attorneys for Defendants/Counterclaim Plaintiffs BrandTotal, Ltd. and  
4 Unimania, Inc. in the above-captioned action. I am over the age of eighteen and competent to make  
5 this declaration. My testimony in this declaration is based on personal knowledge and, if called as a  
6 witness, could competently testify to the facts below.

7 2. Facebook had previously requested, and BrandTotal had agreed to, an extension of  
8 time for Facebook to respond to BrandTotal's counterclaims up to and including November 23,  
9 2020.

10 3. On that date Facebook filed its Motion to Dismiss, Dkt 77.

11 4. The parties did not discuss, prior to filing, any schedule relating to the motion.

12 5. The parties have since discussed the schedule, and agreed that the deadline for  
13 BrandTotal to respond to the Motion to Dismiss shall be enlarged up to and including January 6,  
14 2020, that the deadline for Facebook to file its reply in support of the Motion to Dismiss shall be  
15 enlarged up to and including February 3, 2020, and that the hearing date for the Motion to Dismiss  
16 be reset by the Court.

17 6. BrandTotal requests that the Court allow this enlargement due to the holidays and the  
18 fact that the parties are engaged in discovery relevant to the preliminary injunction motion, and also  
19 because counsel has several other pressing matters.

20 7. There have been no prior time modifications to this briefing schedule.

21 8. This request will have no effect on the remainder of the schedule for this case.

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23 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the above statements are  
24 true and correct.

25 EXECUTED this 3<sup>rd</sup> day of December, 2020, in St. Louis, Missouri.

26  
27 */s/ Rudolph A. Telscher, Jr.*  
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